

Mail 8/13/2012 Appellant Brief  
Appellee Brief  
Reply Brief <sup>Date</sup> \_\_\_\_\_ <sup>Date</sup> \_\_\_\_\_ Appellant

2<sup>nd</sup> current No. 12-6074 Intake

2009 BK-50026

Notes of BK pg 2

- Appellant's 12/1/09 Instruction form B17
- transcript form

U.S. Courts  
Clerk of Court

8/13/2012

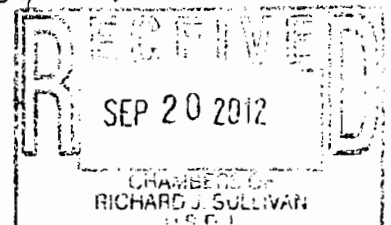
BK-09-50026 SD of NY

(NO. 12-6074) Appeal

Please find Brief of Appellant  
(Open Brief) for filing along with  
attachment(s) + MO plus IFP

+ Pro Se  
register

Megan A. Cleaver



## All Purpose Acknowledgement

State of: Missouri  
County of: Clay

On this 13 day of August, before me  
Christa H. Garza, a Notary Public, personally appeared  
Marjorie A. Chesser  
personally known to me or proved to me on the basis of satisfactory evidence to be the  
person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to  
me that he/she/they executed the same in his/her/their authorized capacity(ies), and that  
by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of  
which the person(s) acted, executed this instrument.

Witness my hand and seal:



CHRISTA H. GARZA  
My Commission Expires  
February 18, 2014  
Clay County  
Commission #10502941

Christa H. Garza  
Printed Name: CHRISTA H. GARZA  
My commission expires:

(Seal)

### DESCRIPTION OF ATTACHED DOCUMENT:

Title or Type of Document: IFP + Motion

Document Date: 8/13/2012 Number of Pages: 3 plus

Signers other than named above: None

## Request for Purchase

Library staff: complete form online. **Only typed forms will be accepted**. Inform customer that most purchase requests take 2-3 months to process, and there is no guarantee that the material will be purchased by MCPL.

Date: 8.13.2012

Requestor Name (Required): Marjorie A. Creamer

Library Card Number (Required): 20005012520909

Phone: 7852591460

Email: THEHUSH91@HOTMAIL.COM

**Please provide as much of the following information as possible:**

Format (select one): ☒ Book ☐ Large Print Book ☐ Music CD  
☐ DVD ☐ Audiobook ☐ Downloadable Audiobook ☐ eBook ☐ Other:

Title: The Hush

Author/Artist: Marjorie A Creamer

☐ PrePub ☒ Approximate publication date: 2005

Title verification information: Where did the customer hear about the title?

Note: verification is not required for eBooks or downloadable audiobooks

Website (URL): www.xlibris.com

Magazine/Newspaper (Publication title):

Radio (Station):

Television Show (Name and network):

Other:

Title information located (source): Website or author

Staff Name: Jean Root

Branch: SM

**Accepting materials with a request for purchase:** If a library customer is providing a copy of a material with the request for purchase, give the customer a Request for Purchase Information Sheet before accepting the item. In the space below, provide a contact name and phone number or email address, the price of the item, and other necessary purchasing information.

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DIST of SD of NY  
UNITED STATES COURT  
~~2ND APPEAL CIRCUIT COURT~~

MARJORIE A. CREAMER  
v.  
MOTORS LIQUIDATION COMP.  
COMPANY  
(f/k/a GENERAL MOTORS CORPORAT.  
ION

CASE No. 12-CV-6074  
SD of NY  
BK No. 09-50026

OPENING BRIEF by APPELLANT

AFTER CERTIFICATE ENTERED ON DOCKETING of  
BANKRUPTCY COURT 28 U.S.C. § 158(d)(2), FED.  
RULE of APP PRO 5(a), APPEAL COURT ASSIGN  
CASE NO. 12-CV-6074, MARJORIE A CREAMER  
SUBMITS THIS BRIEF TO THE HONORABLE JUDGE  
SULLIVAN IN AND OF SOUTHERN DISTRICT of  
NEW YORK PURSUANT TO RULES of FEDERAL  
PROCEDURES AND EVIDENCE. ON THE BANKRUPTCY  
FILED JUNE 2009 CASE NO. 09-50026, re:  
CHEVY COBALT 2006 year VIN#1G1AL55F36-  
7780039 PURCHASED NEW WITH AMOUNT  
\$18,799<sup>00</sup> CASH. STATEMENT

ON APRIL 26, 2012 A HEARING ON  
A PHONE CONNECTION OF WHICH APPELLANT  
HAD A DISCONNECT (doc. of Motion Mistrial  
filed May 29, 2012) heard for claim nos.  
GIVEN TO CREDITOR BY GARDEN CITY GROUP  
for Claims # 71249

# 48506 IN BANKRUPTCY COURT

BECAUSE FILED IN KANSAS U.S. DIST COURT  
CASE NO. 11-4028 and 10<sup>th</sup> CIRCUIT COURT  
APPEAL CASE NO. 11-3558 AND NO ATTORNEY  
WOULD REPRESENT ME. ACTING AS PRO-SE  
AND AS STAY OF BANKRUPTCY for MOTORS  
LIQUIDATION COMPANY, <sup>(MLC)</sup> Debtor (defendant)

NO ANSWER ON TIME, SO DEFAULT & ANSWER  
AS MLC entered STAY. (doc. filed or  
submitted Dec. 28, 2011) WHEREBY, LOSSES  
AND ASSETS AND OTHER ISSUES DECIDED;  
MLC DID NOT CONSIDER HUMAN LIVES,  
COSTS - LOSSES in BANKRUPTCY.  
(2)



ISSUE

IN APPELLANT'S OPENING BRIEF/TRANSCRIPT  
OF APRIL 26, 2012 HEARING WHICH OMITTED  
MS. CREAMER'S ARGUMENT OF U.S CODE  
AND WAS TYPED TWICE, <sup>15</sup>OMITTED ISSUE NOT  
RAISED IN DOCKETING STATEMENT THE  
PAGE 60 OF COSTS, HUMAN LIVES  
(OF ALL 55 thru 61 MS. CREAMER'S  
HEARING - WHAT ABOUT pages 2 thru  
54) THIS CASE NOT WASTING MONEY  
AS (CRUZ, CNN attachment) (4/3,000 <sup>RECALLED</sup> autos)  
APRIL 26, PAGES 2 thru 54 of transcript  
are of DEATHS CAUSED BY COBALT.  
MS CREAMER CASE NOT WASTING MONEY  
OF GM (MLC). GM IS WASTING MONEY  
AND LIVES. DEAD or LIFE WOULD  
BE BETTER, NOT.

CONCLUSION RELIEF IS SOUGHT FOR  
MS CREAMER from MLC and BK COURT  
(3)

SYSTEM OF ALLEGATIONS OF  
A CASH PAID for NEW 2006 CITENY  
COBALT and failure to Notify  
Consumer to protect herself from  
a KILLER AUTO, while filing 2009  
Bankruptcy to cover up losses,  
just whose losses of RE-organizations  
COSTS  
are we talking about and

- Submit AUG 13, 2012 *Walter A. Creamer*
- Dec. 28. 2011 No. 11-3358 motion
- Jan 13, 2011 Letter to GM President
- April 26. 2012 Transcript PG 1, 55-61
- May 29. 2012 Mistrial motion
- June 26. 2012 Endorsed Order Judge Gerber

Cert of Mailing

Appellants Brief mailed to:

Clerk of Court  
SD of NY  
500 Reard St.  
NY NY 10007

Wend Gotschal Menges LLP  
attorney for appellee  
Debtors  
767 5th Ave  
NY NY 10153

Stephan Green  
Dickstein Shapiro  
(4)

APR-17-2012 11:12 FROM:

TO: 12813412689

P.1/1

Margie A Creamer  
 705 S. Monroe  
 Smith Center KS 66967  
 785-259-1460

13, 2011  
 2nd Appeal Circuit Court  
 NO. 12-6074

Product allegation serious request  
 (purchased new) #71-762-294405  
 RE: 2006 Cobalt LT Sedan  
 Vin. 1G1AL55F367780039

Dear Mark L. Russ Vice President +  
 President, GM  
 North America

Writing to get some relief as to the  
 defective vehicle manufactured by GM. This  
 above referenced ~~vehicle~~ <sup>defective</sup> caused a wreck on  
 Sept 24, 2009. My injuries were severe and  
 totaled the vehicle, approx 32,000 miles, at the time.  
 In March 2010, a recall on cobalts, mega car was  
 one with a defective steering motor. Also,  
 the rear frontal impact should have deployed the  
 air bag. Did not. Air bag would have saved from injuries.  
 I would think GM would replace my  
 car with a new one; as their product is defective and also  
 help in assist with injuries, pain and suffering  
 Please contact me as soon as possible

Thank you  
 Margie A Creamer



My  
Copy

No. 11-3358  
CLOSED

GENERAL MOTORS  
CORPORATION, MOTORS  
LIQUIDATION COMPANY

Re-Open  
Motion + Default

Lower Court JUNE 6 2011

Pursuant to Fed Rule Civ. Pro. 55(a) &  
 Defendants failed to follow the rules as no  
 answer provided and an order from S.D. of New  
 York, Case 10 cv 4322 (JER 2011 WL 2462773)  
 not filed until June 20, 2011 of which Injured Co.  
 civil action and no court as of yet decision of  
 bankruptcy confirmed, so therefore no bankruptcy of  
 Stay until June 20, 2011. Submitted Dec. 28, 2011  
 [Signature]

Submitted Dec. 28, 23 v.  
 Name of Claimant  
 Name of Claimant  
 and the husband's name  
 PROSE

Clerk of U.S. Supreme Court  
 Clerk of U.S. Supreme Court  
 Street 1523; 13y. 271 White (Clerk of U.S. Supreme Court)  
 Dinner Co. 80247 (3-22-20) No. 12 6079  
 12.25.11 m3  
 48243

01/19/2012 11:29 FAX

001/001

Global Warranty Management

Page 1 of 2



Patricia Schlyer

January 19, 2012

☐ Update My Profile  
☐ Logout

Global Warranty Management: Main &gt; Interface With Customer &gt; View Vehicle Summary

INTERFACE WITH  
CUSTOMER

## View Vehicle Summary

This screen allows IVH users to view the Summary of Vehicle Information, Field Actions, Service Information, Applicable Warranties, Transaction History, Service Contract(s) if applicable, Warranty Block, Branded Title information and OnStar and XM Radio Information (if applicable).

## Vehicle Information

VIN: 1G1AL55F367780039

Model: 1AL69-2006 COBALT LT SEDAN

Service Contract: No

Branded Title: YesWarranty Block: Yes

PDI Status: No

Order Type: 70 - RETAIL - STOCK

Field Actions: 1 Open

For this vehicle:

[View Vehicle Summary](#)
[Service Contract](#)
[Branded Title](#)
[Warranty Block](#)
[View Vehicle Build](#)
[View Vehicle](#)
[Component Summary](#)
[View Vehicle](#)
[Transaction History](#)
[Detail](#)
[View Vehicle Delivery](#)
[Information](#)
[Investigate Major Assembly History](#)

## Required Field Actions

Open field actions are highlighted

Type	Number	Original Mbr	Description	Release Date	Status
Product Emission Recall	N080090	08090	ENGINE FUEL INJECTORS - REPLACE	01/22/2007	Closed
Product Safety Recall	N100023	10023	LOSS OF POWER STEERING ASSIST - REPLACE ELECTRIC POWER STEERING MOTOR	03/18/2010	Open

## Branded Title

\*The VIN information contained herein and information derived therefrom is the proprietary property of The Polk Company and is to be used only for the purpose of warranty verification and shall not be used for any other purpose whatsoever.

Brand Description: SALVAGED

Date Branded: 11/01/2009

Title Number: R1588243

Reported By: KS

Reporting Source Code:

Effective Date: 02/26/2011

loss steering - turned U on highway hitting utility pole wires hanging over car as I was knocked out.

## Warranty Block

Code	Description	Effective Date
BT	BRANDED TITLE	12/04/2009
Block Transaction Types:		Blocked Labour Ops:
ZPDI		
ZPTI		
ZREG		
ZSCT		

ACCT DEC. / TIRES torn Mar 11  
PASSENGER TIRES EXPLODED

## Service Information

Vehicle has no current record of outstanding service information.

Page 1

1 UNITED STATES BANKRUPTCY COURT  
2 FOR THE SOUTHERN DISTRICT OF NEW YORK  
3 Case No. 09-50026 (REG)

4 - - - - -x  
5 In Re: *2<sup>nd</sup> Appeal Circuit Court*  
6 *NO. 12-6074*

7 MOTORS LIQUIDATION COMPANY, et al.,  
8 f/k/a General Motors Corp., et al.

9  
10 Debtors.

11  
12 - - - - -x

13  
14 United States Bankruptcy Court  
15 Southern District of New York  
16 One Bowling Green  
17 New York, New York 10004

18  
19 April 26, 2012  
20 9:45 AM

21  
22 B E F O R E:  
23 HON. ROBERT E. GERBER  
24 U.S. BANKRUPTCY JUDGE

25

General Motors Corp., et al.

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1 MS. CREAMER: Because the new GM is under another  
2 liquidation (indiscernible 11.12.25) department bankruptcy.  
3 (indiscernible) my car was purchased, it was a 2006  
4 (indiscernible 11.12.34). I'd never buy another Chevrolet,  
5 ever. They've got problems.

6 THE COURT: Uh huh.

7 MS. CREAMER: And that's why Obama? (indiscernible  
8 11.12.54) filed bankruptcy. All these people that are dying? I  
9 should've died. In fact, I think I did die when I hit my head  
10 on my (indiscernible 11.13.01). I hit a totem-pole. It's very  
11 serious. You guys (indiscernible 11.13.08) about people's  
12 lives. But you don't understand, (indiscernible 11.13.15) and  
13 the people that are working in the factories, that's not their  
14 fault. Somebody up there knows, that those cars power-steering  
15 (indiscernible 11.13.24) and they didn't do anything about it.  
16 Some (indiscernible 11.13.26) went out 35,000 miles  
17 (indiscernible 11.13.30). Mine did. Mine was one of them  
18 (indiscernible 11.13.32) after the fact that the accident was  
19 called an accident. I filed under "old" but I also filed under  
20 "new" which is another (indiscernible 11.13.43) of claim  
21 numbers. It happens.

22 THE COURT: Okay. I've read your letters, Ms.  
23 Creamer. One of your letters, the one that's dated January 13,  
24 2011, says that the car-wreck took place on September 24, 2009.

25 MS. CREAMER: Can I interrupt you, Your Honor?

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516-608-2400

General Motors Corp., et al.

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1 THE COURT: No. You may not interrupt me. My  
2 question to you is: Is that date still correct?

3 MS. CREAMER: No. It actually happened when I  
4 purchased the car. (indiscernible 11.14.16) When I drove it  
5 off the lot, it was defective (indiscernible 11.14.21) from the  
6 day I purchased it. (indiscernible 11.14.28).

7 THE COURT: All right. Do you have anything further  
8 to say to me before I give Ms. Greer a chance to reply?

9 MS. CREAMER: Yes, I do.

10 THE COURT: Go ahead.

11 MS. CREAMER: (indiscernible 11.14.46) issue, I just  
12 listened to number three on the conference call about the  
13 airbags not inflating (indiscernible 11.14.54) off to the side.  
14 I tried to talk to GM, their officials, their claim agents,  
15 everybody and when it got down to the point that it was the  
16 steering (indiscernible 11.15.05) nobody would talk to me.  
17 Because they knew they were in trouble. And they knew they had  
18 to get out. And how were they gonna get out? Flying through  
19 your court system? It's still a (indiscernible 11.15.20) card.  
20 It is. The Volt has caught fire for being a new electric car.  
21 It's called Consumer Protection in America. What do want  
22 (indiscernible 11.15.33) cars? Please. (indiscernible  
23 11.15.35) Why? Aren't we better than that? I think Obama  
24 failed. That's where Congress is wrong. My car was wrong.  
25 (indiscernible 11.15.50) what would've happened to them? It

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General Motors Corp., et al.

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1 just happened I was on an old highway by myself when it went  
2 out. And thank God of that. Because you don't have to pay  
3 farm-women to (indiscernible 11.16.02).

4 THE COURT: Okay. Ms. Greer, you may reply.

5 MS. GREER: Your Honor, of course the GUC Trust  
6 refutes -- I mean, all the facts asserted by the claimant.  
7 Certainly, just to reiterate, Your Honor, that not only are  
8 claims related to accidents occurring after -- after the July  
9 10, 2009 all liabilities in connection with those accidents  
10 were assumed by new GM. So were Lemon Law claims, Your Honor,  
11 so to the extent she's asserting those claims which are not in  
12 the pleadings, but those are all new GM claims. So, Your  
13 Honor, based on that we'd ask that the claim be expunged. I'd  
14 also mention, Your Honor, that we've heard quite a bit from Ms.  
15 Creamer and I'd like to ask for language in the order which --  
16 which basically gives us some leeway to the extent she  
17 continues to file pleadings, that we don't need to respond to  
18 them unless Your Honor asks us to.

19 THE COURT: Okay.

20 ~~MS. GREER~~ <sup>CREAMER</sup>: Your Honor, I'd like to have a rebuttal  
21 on that.

22 THE COURT: I beg your pardon. You were speaking  
23 over Ms. Greer, so I didn't hear you, Ms. Creamer.

24 MS. GREER: I would like to have a rebuttal on that.

25 THE COURT: Yes you may. Limited to the --

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General Motors Corp., et al.

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1 MS. GREER: A Creditor --

2 THE COURT: -- new stuff she said.

3 MS. CREAMER: It is.

4 THE COURT: Go ahead.

5 MS. CREAMER: A creditor is a person, corporation,

6 entity owed a debt by the debtors and has responded before the

7 date, on or before the date of the bankruptcy filing, ~~the~~ <sup>use 10/10</sup>

8 ~~period-S-period-Z-period, 101~~ (indiscernible 1:17:43) ~~to~~, on or

9 before the date of the bankruptcy filing. It arose when I

10 bought that car. You can say whatever you want to say, but

11 it's (indiscernible 1:17:47) from right there in your -- in

12 your good (indiscernible 1:17:49) on your code. And if they're

13 unsecured debt.

14 THE COURT: Okay. All right, everybody sit in place

15 for a second. All right, in this contested matter in the

16 Chapter 11 case. May I ask for silence while I'm dictating a

17 decision, please. Court Call, do you have any idea what all

18 this noise is, and where it's coming from.

19 COURT CALL OPERATOR: Yes, Your Honor, it's coming

20 from Ms. Creamer's line.

21 THE COURT: Ms. Creamer, can I ask you to keep quiet

22 on your end of the line, please. Thank you.

23 MS. CREAMER: (indiscernible 1:18:47). I'm sorry.

24 THE COURT: I couldn't hear what -- what you said.

25 All right, I'm going to start over again.

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General Motors Corp., et al.

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1 In this contested matter in the Chapter 11 case of Motors  
2 Liquidation Company, formerly known as General Motors, the GUC  
3 Trust objects to the claim of Marjorie Creamer in the State of  
4 Kansas. As stated in her letter of January 13, 2011, she  
5 bought a GM vehicle that caused a wreck on September 24, 2009,  
6 causing severe injuries. It is alleged, and for the purpose of  
7 this analysis, I take it as true, that she bought the vehicle  
8 back in 2007. So we have a situation where the vehicle was  
9 bought back then, is alleged to have been a lemon or otherwise  
10 defectively manufactured, but the wreck only took place on  
11 September 24, 2009.

12 It is undisputed, or should be, that under the sale  
13 agreement, new GM assumed all liabilities to third parties for  
14 death, personal injury, or other injury to persons, or damage  
15 to property caused by motor vehicles, which arose directly out  
16 of death, personal injury or other injury to persons or damage  
17 to property caused by accidents or incidents first occurring on  
18 or after the closing date. And it is also undisputed that the  
19 closing date was back in July of 2009, several months before  
20 the wreck that caused the property and the severe injuries.

21 Motors Liquidation, which is old GM, has moved to  
22 dismiss the -- expunge the claim, and I'm granting that. The  
23 reason for it, and it's actually good news for Ms. Creamer, is  
24 that new GM assumed this liability. You have the right, Ms.  
25 Creamer, to go after new GM, and if you succeed in your lawsuit

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2nd  
after  
corrections

573

400,000 Chevy Cruze

2012 2 20 PM ET



GM will modify an engine shield that could create a fire hazard

No. 12-6074  
2nd Appeal  
page added for  
court use  
page 60 of  
before EXHIBIT A  
transcript

th  
ce  
e

NEW YORK (CNNMoney) — General Motors is recalling 413,418 Chevrolet Cruze small cars ...  
could create a fire hazard.

The engine shield, a large plastic piece that is installed under the front of the car to protect the engine, could trap oil that is accidentally spilled or dripped during oil changes.

Also, in cars with manual transmissions, driving with a worn clutch can cause burning hydraulic fluid to squirt from the clutch housing. The flaming fluid can ignite the engine shield leading to an engine compartment fire.

In a separate action involving some of the same cars, GM dealers will also inspect welds in the rear compartment to ensure they were properly applied. As many of the 249 of the cars may have incomplete welds.

The recalls involve all Cruzes built in the United States from September 2010, when the car first went into production in the U.S., through May, 2012.

#### Cooler cars under \$18,000

The recalls follow a preliminary investigation by the National Highway Traffic Safety Administration into two engine compartment fires in 2011 Chevrolet Cruzes.

There are no known crashes, injuries or fatalities related to either recall, GM said in a press release Friday.

GM ( GM, Fortune 500) dealers will modify the engine shield by cutting away parts of it, creating holes that will allow fluids to drip through. The modification process that will take about 30 minutes. Owners should make an appointment with their dealers "at their earliest convenience," GM said in a statement.

Weld repairs, if necessary, will take about three hours, GM said.

Notification letters will be mailed to owners beginning July 11.

The Cruze compact car was GM's replacement for the Chevrolet Cobalt. It was the company's best-selling car model last year.

1 against new GM you can get money and not stock. So, you're  
2 going after the wrong entity. Now, I - I sense from your oral  
3 argument that you're upset, but you're actually in a better  
4 position than you thought you were, because you have the right  
5 to go against an entity that's continuing in business, and if  
6 you can prove your claim you can get money from them and not  
7 stock. But by the same token the history of this matter does  
8 indicate a lot of vexatious litigation. I'm not exactly sure  
9 why there's been a misunderstanding as to who the right entity  
10 is to go after, why you want to proceed against old GM, Ms.  
11 Creamer, when you can go against new GM, which has more in the  
12 way of resources to satisfy your claim. But in any event, yes.  
13 I'm not going to issue a Martin-Trigona order, but there has  
14 been too much going on, so the order can and should provide,  
15 Ms. Greer, not just that the claim is expunged but that if Ms.  
16 Creamer files anything further in this Court, or in any Court,  
17 you don't have to respond to it unless and until I issue an  
18 order saying that you need to respond. I'm not otherwise  
19 imposing sanctions, not against a pro se plaintiff -- claimant.  
20 But again, this is costing old GM's other creditors a lot of  
21 money and every time you have to show up in Court, and I'm  
22 telling you, you don't need to do it any more.

23 MS. GREER: Thank you, Your Honor.

24 THE COURT: All right.

25 Ms. Creamer, I don't expect you to agree with my



General Motors Corp., et al.

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1 ruling, but do you understand it?

2 COURT CALL OPERATOR: Excuse me, Your Honor, this is  
3 the Court Call Operator. Ms. Creamer disconnected at 11:41.

4 THE COURT: Okay, that was about two minutes ago,  
5 huh?

6 COURT CALL OPERATOR: Yes, Your Honor. I did not  
7 want to interrupt you.

8 THE COURT: Sure. I understand.

9 All right, nevertheless we must continue. Ms. Greer,  
10 you're to settle an order in accordance with the forgoing?  
A

11 MS. GREER: YES Your Honor, will do.

12 THE COURT: Okay. What else do you have?

13 MS. GREER: Your Honor, I think I'm all done and I'd  
14 ask if I could be excused unless you have any questions --

15 THE COURT: No.

16 MS. GREER: -- or anything further.

17 THE COURT: You may be excused. And the folks who  
18 are UAW members and are here on health care members -- matters,  
19 I'll hear those next.

20 MS. GREER: Thank you, Your Honor.

21 THE COURT: Sir, I understand you're one of the UAW  
22 folks. Would you come up to the plane -- the main counsel  
23 table please, and speaking into the microphone just tell us  
24 your name and I'll give you a chance to be heard in a couple of  
25 minutes.

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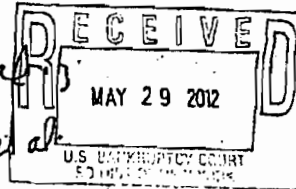
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UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK

IN RE: Chapter 11 Case No.

MOTOR LIQUIDATION COMPANY et al  
D9-50026 (REG)  
+ / k/a General Motors Corp., et al



Debtors: (Jointly Administered)

MISTRIAL MOTION  
ORDER FROM TRANSCRIPT OF HEARING ~~via~~  
phone on April 26, 2012 is NOT LEGAL. THE  
TRANSCRIPTION OF THIS HEARING AFTER  
BEING TRANSCRIBED IS NOT CITING THE  
U.S. CODE THAT; MS. CREAMER ARGUED,  
DURING HEARING AND DISCONNECT OF  
INCOMING CALL ON HER PHONE DURING  
THE HEARING OF APRIL 26, 2012 OF THE  
PRODUCT SAFETY RECALL OF DEFECTIVE STEERING  
MOTOR ON 3, 2010 when the STEERING MOTOR  
DEFECTIVE TIME OF PURCHASE 0007 of 2006  
IN MEXICO, RECALL IN MARCH 2010 AFTER  
FACT OF ACCIDENT CAUSED BY STEERING FAILURE  
ON SEPTEMBER 24, 2009. SUBMITTED MAY 22  
2012  
Miguel Creamer  
THE HASH  
705 S. Moore  
Smith Center Ks  
66967

Cert of Mailing - Anthony  
1633 Broadway NY NY 10019

CLERK OF COURT / JUDGE GERBER

785-259-1460

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
In re: :  
: Chapter 11  
:   
MOTORS LIQUIDATION COMPANY, *et al.*, : Case No.: 09-50026 (REG)  
f/k/a General Motors Corporation, *et al.*, :   
: (Jointly Administered)  
Debtors. :  
:

ENDORSED ORDER:

Deeming Ms. Creamer's letter to be a motion for reargument under Fed.R.Bankr.P. 9023 or 9024, or Local Bankruptcy Rule 9023-1, reargument is denied. After review of Ms. Creamer's letter, and the transcript of the hearing insofar as it dealt with Ms. Creamer's claim, the Court must conclude that the motion fails to identify any matters or controlling decisions that the Court did not consider.

The Court was told by Court Call that "Ms. Creamer disconnected" during the time the Court was dictating its decision. (*See* Tr. at page 61). Ms. Creamer was not deprived of the opportunity to present any part of her argument.

However, to assist Ms. Creamer in the event she wishes to appeal, a copy of the transcript, including the Court's ruling in full insofar as it addressed Ms. Creamer's claim, is attached to this order. During the Court's review of the transcript when considering Ms. Creamer's motion for reargument, the Court corrected the transcription errors in the transcript, and if there are any further proceedings involving use of the transcript, the corrected transcript should be used instead.

Ms. Creamer is reminded of the Court's holdings that she could still assert any claims she might have with respect to the accident against New GM, and that the Court was not going to affect any rights she might have in that regard in any way. Her claim arose when the accident took place and the injury was suffered, after the sale of Old GM's assets to New GM. Though she bought her vehicle before the sale, the Court's sale order permitted claims of that character to be asserted against New GM. The Court suggests, but does not order, that in deciding whether she wishes to appeal, Ms. Creamer keep that in mind.

Dated: New York, New York  
June 26, 2012

s/Robert E. Gerber  
United States Bankruptcy Judge